



Paul R. LePage
Governor

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035

Anne L. Head, Esq.
Commissioner

Geraldine L. Betts
Administrator

Maine Board of Pharmacy
Minutes of March 11, 2016 Board Meeting

CALL TO ORDER

President Bruno called the meeting to order at 8:00 a.m.

MEMBERS PRESENT

Joseph Bruno, R.Ph., Pharmacist, President
Donald Watson, R.Ph., Hospital Pharmacist, Vice President
Kevin Holland, R.Ph., Complaint Officer
Bradley Hamilton, R.Ph., Chain Pharmacist
Joseph Pietroski, Public Member
Kirsten Martin, Public Member

MEMBERS ABSENT

Shane Savage, R.Ph., Independent Pharmacist

STAFF PRESENT

Andrew Black, AAG, Board Attorney
Geraldine Betts, Board Administrator
Kelly McLaughlin, Senior Consumer Assistance Specialist
Thomas Avery, Chief Field Investigator
Jessica Gowell, Planning & Research Associate I

Complaint Committee's Report

2016 PHA 11939, 2016 PHA 11941, and 2016 PHA 12023

In a motion by Pietroski, seconded by Watson, to modify the proposed consent agreement offered at the March 3, 2016 to include the following: 1) Admission to violation of 10 M.R.S. § 8003(5-A)(A)(1)and(8), Board Rules chapter 31, § 1(1), and Board Rules chapter 31, § 2(1) and(3); 2) Reprimand; 3) \$8,000.00 fine; 4) Probation for a period of one (1) year commencing on March 28, 2016, and shall remain in effect thereafter until the licensee has obtained the number of hours of supervision and monitoring required by the conditions of probation. The conditions of probation are that the licensee will not be eligible to act as the pharmacist in charge of any pharmacy, preceptor or mentor of any pharmacy intern or student, or consulting pharmacist for any rural health center, The licensee may only practice pharmacy under the

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OFFICE LOCATION: GARDINER ANNEX
76 NORTHERN AVENUE, GARDINER, MAINE

supervision of a peer monitor who must be preapproved by the Board Complaint Officer, must have been continually licensed as a pharmacist by the Board for the preceding five (5) years, must not have been disciplined by any jurisdiction within the preceding five (5) years, must not be related to the licensee and must be physically present at all time the licensee is practicing as a pharmacist; 5) The licensee must ensure that the peer monitor files monthly reports with the Board due on tenth calendar day of each month in which the peer monitor for the preceding calendar month describes any misfills, prescription errors, or bill errors that occurred, identifies any instances in which the licensee permitted unauthorized individuals to enter the prescription filling area, calculate the number of hours that the licensee practice pharmacy under the peer monitor's supervision, and certifies to the accuracy of the information in the reports; 6) the licensee must practice under the peer monitor's supervision for a total of at least 1500 hours as reported by the peer monitor in the monthly reports, if the licensee fails to each the 1500-hour requirement in one year, the probationary period will not expire, but will remain in effect until the licensee satisfies the 1500-hour requirement and 7) the licensee agrees that the execution of this Consent Agreement terminates the suspension of the pharmacy license that the Board imposed pursuant to 5 M.R.S. § 10004(3) effective March 11, 2016. Motion carried, Complaint Officer Holland recused.

In a motion by Pietroski, seconded by Watson to reduce the pharmacy hours of operation from 40 hours a week to 30 hours a week between March 28, 2016 – April 7, 2016. The board requests a firm plan to be presented at the April 7, 2016 Board Meeting for Board consideration regarding the exact hours the pharmacy will be open.

Public Comments

None

ADJOURN

There being no further business Holland, motioned to adjourn at 8:18 a.m. seconded by Pietroski. Motion carried.